

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DANNY L. HUMMEL, JR.,)	
)	CASE NO. 1:18CV2550
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
ANDREW M. SAUL, ¹)	
COMMISSIONER OF)	
SOCIAL SECURITY)	
)	<u>MEMORANDUM OF OPINION</u>
Defendant.)	<u>AND ORDER</u>

An Administrative Law Judge (“ALJ”) denied Plaintiff Danny L. Hummel, Jr.’s applications for disability insurance benefits (“DIB”) and supplemental security income (“SSI”) after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and the Court referred the case to Magistrate Judge James R. Knepp II for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). The magistrate judge submitted a Report and Recommendation ([ECF No. 18](#)) recommending that the Court reverse the Commissioner’s decision and remand the case pursuant to sentence four of [42 U.S.C. § 405\(g\)](#)²

¹ Nancy A. Berryhill was the original Defendant. She was sued in an official capacity as a public officer. On June 17, 2019, Andrew M. Saul became the Commissioner of Social Security. Pursuant to [Fed. R. Civ. P. 25\(d\)](#), Saul’s name has been automatically substituted as a party.

² Sentence four of section 205(g) of the Social Security Act, [42 U.S.C. § 405\(g\)](#),
(continued...)

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for further consideration of the opinion evidence and subjective symptom evidence of Plaintiff's manipulative limitations.

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Objections to the magistrate judge's Report were, therefore, due on January 24, 2020. Neither party has filed objections, evidencing satisfaction with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn](#), 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); [Howard v. Secretary of Health and Human Services](#), 932 F.2d 505 (6th Cir. 1991); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the report and recommendation of the magistrate judge is hereby adopted. The Court will reverse the decision of the Commissioner of Social Security and remand this case to the Commissioner for rehearing and a new decision.

IT IS SO ORDERED.

January 27, 2020
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

²(...continued)
states:

The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.